

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KATHLEEN MILLER,

Plaintiff,

v.

VERIZON COMMUNICATIONS INC.,

Defendant.

Civil Action No. 05-30117-KPN

**DEFENDANT'S OPPOSITION TO PLAINTIFF'S
MOTION TO AMEND LOCAL RULE 56.1 STATEMENT**

Defendant Verizon Communications Inc. (“Verizon”), by its attorneys, opposes Plaintiff’s Motion to Amend Local Rule 56.1 Statement. Plaintiff has submitted this motion less than 48 hours before the hearing on Verizon’s Motion for Summary Judgment. While the new statement may well be an improvement over the old one, Plaintiff has completely reworked her “additional facts” section, so that the paragraphs are completely different, and references in the briefs to paragraphs in Plaintiff’s original statement will now be largely useless to both the Court and Verizon. Moreover, Plaintiff has added “see also” references incorporating these new paragraphs to many of the paragraphs responding to Verizon’s Statement of Undisputed Facts, despite her contention that she made no changes to those responses.

Verizon respectfully submits that it is unreasonable for Plaintiff to submit such a substantial revision to this document less than two days before the scheduled hearing – particularly when Plaintiff (with Verizon’s assent) already received two extensions of time to prepare her opposition to Verizon’s summary judgment motion, and the hearing was postponed once at Plaintiff’s request.

WHEREFORE, Verizon respectfully requests that the Court deny Plaintiff's Motion to Amend Local Rule 56.1 Statement.

VERIZON COMMUNICATIONS INC.,
By its attorneys,

/s/ Brian H. Lamkin

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on August 2, 2006, and that there are no non-registered participants.

/s/ Brian H. Lamkin

Brian H. Lamkin (BBO #635688)